

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
NO. 5:90-CR-45-BO-2  
NO. 5:12-CV-327-BO

HARRY JUNIOR BARR, )  
Petitioner, )  
v. ) ORDER  
UNITED STATES OF AMERICA, )  
Respondent. )

This matter is before the Court on Petitioner's "Motion to Alter or Amend a Judgment and Reconsideration" [DE 10]. In his Motion, Mr. Barr asserts that his petition pursuant to 28 U.S.C. § 2255 [DE 7] is not second or successive. However, Mr. Barr's prior petition pursuant to 28 U.S.C. § 2255, docketed on April 14, 1997, precludes this Court from considering the instant petition without prior authorization by the United States Court of Appeals for the Fourth Circuit. Therefore, Mr. Barr's Motion [DE 10] is DENIED.

SO ORDERED. This 27 day of August, 2012.

  
TERRENCE W. BOYLE  
UNITED STATES DISTRICT JUDGE